

By this Response, original claim 5 has been cancelled. New claim 6 has been added. New claim 6 is a method claim that tracks claim 1 as now amended.

Original claims 1-5 are rejected under 35 U.S.C. §112, second paragraph, as purportedly indefinite. This rejection is traversed.

As amended, claims 1 and 3, and unamended claims 2 and 4, are submitted as fully complying with 35 U.S.C. §112. These claims, together with new claim 6, are submitted as properly pointing out and claiming the subject matter which is regarded as the invention. As such, the present rejection under 35 U.S.C. §112 is overcome. Withdrawal of this rejection courteously is solicited.

Original claims 1-5 also have been rejected under 35 U.S.C. §102(e) as purportedly anticipated by U.S. Patent 5,974,396 to Anderson, et al. This rejection is moot with respect to cancelled claim 5. It is traversed with respect to claims 1-4.

As amended, claim 1 recites features of the "means for retrieving" (retrieving means) that patentably distinguish Applicant's claimed management system over the system of Anderson, et al. Specifically, claim 1 defines the retrieving means as retrieving "high-ranking clients." These are clients who, according to the claim, contribute to sales of one or more goods, which goods are designated by setting at least (i) time period, (ii) specific goods classes, and (iii) the sales rate -- all from information regarding the goods purchased. Such a retrieving means is neither taught nor suggested by Anderson, et al.

Equipped with the recited retrieving means, Applicant's management system achieves Applicant's goal of narrowing direct mail clients to only those defined as "high-ranking clients." These are clients who contribute heavily to sales of designated (certain) goods. This narrowing of the number of clients to identify "high-ranking clients" depends upon the "sales rate" parameter of the retrieving means. With respect to Applicant's preferred, exemplary embodiment shown in Figure 10, the sales rate 7h (located next to the "SET SALES" label in the figure) provides for entry of a rate corresponding to specific goods from a specific retail or sales store. In this preferred example, Applicant suggests setting the sales rate to 80% with the meaning of extracting client information for those "clients who contribute to sales of 80% of . . . the total sales of the goods." The provision for entry of this "sales rate" allows the Applicant's management system to thus retrieve data for such clients; Applicant defines them as "high-ranking clients."

The importance of the "sales rate" is that it quantifies past actual purchases of designated goods for clients, over a certain period of time. Retail stores, of course, handle many types of goods. For such stores, it is extremely difficult, if not impossible, to select clients who are highly likely to purchase certain targeted goods during sales promotions unless records of previous purchase data can be retrieved for each class of goods. Applicant recognizes it as vitally important to provide retrieval capability based upon a narrow class of goods such that a single type of goods, from a single company, can be specified. The "sales rate" parameter identifies those clients who have, in the

past, contributed to purchase of such a narrow class of goods from, for example, a single company. It is for these reasons that Applicant discloses subdivision of purchase data to the level of "company", "department" and "goods". Operation of Applicant's recited retrieving means is the necessary element for narrowing the purchase data to the aforementioned levels in order to narrow the clients to the desired clients referred to as the sought-after "high-ranking" clients. These "high-ranking" clients, then, can be made the target of sales promotions for the types of goods.

The Anderson, et al. patent simply does not teach or suggest Applicant's retrieving means as discussed above. Anderson, et al. cannot teach or suggest, to those of ordinary skill in the art, a retrieving means with such features. Anderson, et al. describe information retrieval using SQL (Structured Query Language). Applicant refers to Figure 1 of Anderson, et al. in his understanding that a consumer purchase repository sub-system 26 stores transactions logs from a retail POS (point of sale) subsystem 20. Applicant understands that the database taught in Anderson, et al. stores purchase data for clients, in sum total, and a discount rate for every type of goods. See column 10, line 42.

Applicant respectfully urges that retrieval of "high-ranking clients" who significantly contribute to the sales of specified goods as designated, would not have been taught or suggested to those of ordinary skill in the art from the retrieval methods disclosed in Anderson, et al. Applicant submits that the reason for this is that Anderson, et al. do not teach or suggest basing retrieval upon his "sales rate" parameter. In the

absence of teaching or suggesting retrieval based upon the "sales rate," Anderson, et al. could not teach or suggest Applicant's retrieving means or retrieval in the way accomplished by such means.

Moreover, contrary to Applicant's claimed invention, the classification of goods taught in Anderson, et al. is only a rough classification. According to Applicant, the rough classification of Anderson, et al. is not divided into the narrow, particular types of goods required by his claimed invention. Thus, Applicant respectfully urges that retrieval for narrowing a client list according to specific goods targeted for specific sales promotions is not possible from Anderson, et al.

For these reasons, Anderson, et al. could not be said to teach or suggest Applicant's claimed management system including such a retrieving means. Hence, the rejection of claim 1 as purportedly anticipated by Anderson, et al. is overcome. Withdrawal of this rejection against claim 1, and against its dependent claims 2-4, courteously is solicited.

New claim 6 patentably distinguishes over Anderson, et al. for essentially the same reasons as stated above. Rather than reciting a retrieving means, claim 6 recites a retrieving step which likewise retrieves on the basis of periods, goods, classes, and the important "sales rate." Therefore, claim 6 likewise patentably distinguishes over Anderson, et al.

In view of the foregoing amendments and Remarks, it courteously is urged that all of the pending claims are allowable and that this application now is in condition for allowance. Favorable action in this regard earnestly is solicited.

Respectfully submitted,

SMITH, GAMBRELL & RUSSELL, LLP

A handwritten signature in black ink, appearing to read 'M. Makuch', followed by a checkmark.

Michael A. Makuch, Reg. 32,263
1850 M Street, NW – Suite 800
Washington, DC 20036
Telephone : 202/263-4300
Facsimile : 202/263-4329

Date : June 27, 2002

MARKED-UP PREVIOUS VERSION OF AMENDED CLAIMS

1. (Amended) A client card mail system, comprising:

means for storing client information including individual information
[of] including clients' code [number, name, sex distinction, age, address] numbers,
names, sex distinctions, ages, addresses and telephone [number] numbers;

means for storing sales company goods information [of the goods for
sales company for the] including sales goods, departments, names of classes of [the]
goods [name, goods], codes for goods, prime unit prices, and sales unit prices;

means for storing information of [the] goods purchased by [the] clients;
[and]

means for retrieving [clients' information of the clients who actually
purchased the goods setting the conditions of periods and goods classes] results
representative of high-ranking clients who contribute to sales of one or more goods
designated by setting at least conditions of time period, class of goods and sales rate
from the information of the goods purchased; and

means for outputting and printing [the] results retrieved [, thereby to
enable useful propaganda activity of the sales goods].

3. (amended) The client card mail system according to claim 1, wherein said
means for retrieving [client information] high-ranking clients comprises a plurality of
terminal devices and a main computer.

CLEAN COPY OF AMENDED CLAIMS

Am 327

1. (Amended) A client card mail system, comprising:

means for storing client information including individual information including clients' code numbers, names, sex distinctions, ages, addresses and telephone numbers;

A1

means for storing sales company goods information including sales goods, departments, names of classes of goods, codes for goods, prime unit prices, and sales unit prices;

means for storing information of goods purchased by clients;

means for retrieving results representative of high-ranking clients who contribute to sales of one or more goods designated by setting at least conditions of time period, class of goods and sales rate from the information of the goods purchased; and

means for outputting and printing results retrieved.

A2

3. (amended) The client card mail system according to claim 1, wherein said

means for retrieving high-ranking clients comprises a plurality of terminal devices and a main computer.

NEW CLAIM 6

Am B27 6. A method of storage and retrieval for a client card mail system, said method comprising the steps of:

storing client information including individual information including clients' code numbers, names, sex distinctions, ages, addresses and telephone numbers in a storage means;

storing sales company goods information including sales goods, departments, names of classes of goods, codes for goods, prime unit prices, and sales unit prices in said storage means;

storing information of goods purchased by clients in said storage means;

a3 retrieving from said storage means, results representative of high-ranking clients who contribute to sales of one or more goods designated by setting at least conditions of time period, goods class and sales rate from the information of the goods purchased; and

outputting and printing said results retrieved.